

UNITED STATES DISTRICT COURT
for the
District of New Mexico



United States of America
v.
JOSEPH WAYNE GADMAN (YOB 1982)

Case No. MJ 23-0081 JFR

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 13, 2023 in the county of Bernalillo in the

District of New Mexico, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 2422(b)

Attempted Coercion and Enticement

This criminal complaint is based on these facts:

See attached Affidavit, attached hereto and incorporated herein.

☒ Continued on the attached sheet.

Complainant's signature

Nancy Stemo, FBI Special Agent

Printed name and title

Electronically Submitted and Telephonically Sworn to me on this date.

Date: January 13, 2023 8:30 pm

Judge's signature

City and state: Albuquerque, New Mexico

John F. Robbenhaar, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

IN THE MATTER OF THE ARREST OF:

JOSEPH WAYNE GADMAN (YOB 1982)

Case No. _____

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Nancy Stemo, a Special Agent with the Federal Bureau of Investigation (“FBI”) being duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND OF THE AFFIANT

1. I make this affidavit in support of the arrest of JOSEPH WAYNE GADMAN (year of birth 1982) (“GADMAN”), for a violation of: 18 U.S.C. § 2422(b) – Attempted Coercion and Enticement of a Minor.

2. I have been a law enforcement officer since May 2016 and am employed as a Special Agent with the FBI. I am currently assigned to the FBI Albuquerque’s Child Exploitation and Human Trafficking Task Force (“CEHTTF”) where I investigate a myriad of federal violations including, violent crimes against children, human trafficking, child pornography, online enticement, and sexual exploitation of children. I have investigated and received on the job training from other experienced agents and officers/detectives in the investigations of federal offenses, to include the sexual exploitation of children. I have received formal and on the job training from other experienced agents and law enforcement officers.

3. The statements contained in this affidavit are based upon my investigation, training and experience, as well as information provided by other law enforcement officers or from other reliable sources. Because this affidavit is being submitted for the limited purpose of securing a

criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause to support a criminal complaint against Joseph Wayne GADMAN, for a violation of 18 U.S.C. §§ 2422(b) – Attempted Coercion and Enticement.

RELEVANT STATUTES

4. This investigation concerns alleged violations of certain activities relating to the sexual exploitation of minors:

a. Title 18 U.S.C. § 2422(b) provides, in relevant part, “whoever, using the mail or any facility or means of interstate or foreign commerce...knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be” guilty of a federal offense.

FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE

5. In mid-December 2022, an FBI Online Covert Employee (“OCE”) was operating in an undercover capacity on a foreign fetish website called Fetlife, which is social networking site that caters to those with sexual fetishes, such as BDSM. On Fetlife, the OCE posed as a female adult in an “open family” with “no secrets,” that consisted of her husband and several children with an interest in meeting similarly interested individuals. The post was made in the New Mexico Personals page. I am aware, through training and experience, that Fetlife is often used to meet with other like-minded individuals to discuss, and trade images, videos, and links containing child pornography.

6. On approximately January 4, 2023, the OCE received a private message titled, “family” from an account with the username, “Gadmanj40.” The profile picture was of a white

male. Several additional pictures of the same male were uploaded to the profile. In summary, Gadmanj40 indicated he was interested in the OCE's interests and requested a response.

7. The OCE responded on January 10, 2023, and inquired what part Gadmanj40 was interested in and advised the user that it was a family affair, meaning that the entire family was involved. The OCE advised that the family consisted of three children under 12, a husband, and the OCE; they resided in Albuquerque and would be selective. Gadmanj40 indicated he was interested in the "family affair" and was open to whatever the OCE wanted. The OCE provided a phone number Gadmanj40 could contact the OCE on and the conversation transitioned to text message. GADMAN utilized the phone number 575-800-9773.

8. The FBI identified the user of the Gadmanj40 Fetlife account and the phone number as GADMAN, based on a review of law enforcement databases and identifying the photos shared on Fetlife and via text message as the same individual in GADMAN's New Mexico driver's license.

9. During the conversations with the OCE, GADMAN admitted to being turned on by children and asked if he could play with the OCE's "girl." The OCE advised she had two daughters, 12 and 8 years old. GADMAN advised he wanted the OCE's daughters to "suck me and caress them" and stated he wanted to meet with the OCE's family.

10. On January 11, 2023, GADMAN stated he would provide the OCE \$60 when he met the OCE's family. He agreed that he would wear a condom and bring the purported daughters KitKat chocolate bars. Additionally, GADMAN wrote, "so I know you want me to wear a condom what if the oldest wants to do more then put her mouth it like ride it [referring to sexual intercourse]."

11. On January 12, 2023, a United States Magistrate Judge authorized a federal search warrant for cell site location on GADMAN's cellular telephone. The FBI began to receive cell site information on the device on January 13, 2023.

12. On January 13, 2023, GADMAN told the OCE he was going to be headed to visit her and would leave his house in Tucumcari, New Mexico, between 1-2 p.m. GADMAN inquired if the OCE had told the daughters he was going to visit and confirmed he had the items he previously agreed on providing. GADMAN maintained contact with the OCE during the drive and advised he would tell the OCE when he arrived. The FBI observed GADMAN's cellular telephone travel from Tucumcari, New Mexico, westbound on I-40 and to a previously provided location in Albuquerque, New Mexico.

13. On January 13, 2023, FBI personnel observed GADMAN arrive at the predetermined location in a Grey Toyota Tacoma. GADMAN parked and attempted to enter the establishment. FBI personnel interdicted GADMAN and detained him pending an investigation. GADMAN was advised of his *Miranda* rights, waived those rights and agreed to speak with investigators. GADMAN indicated he had \$60 in his pocket, and the KitKat bars and condoms were in his truck. GADMAN stated this was the first time he had done something like this and mentioned having an opportunity to have sex with a 15-year-old female approximately two years ago, but it didn't happen. GADMAN admitted to being the sole user of the Fetlife account, "gadmanj40," and admitted to being the sole user of his cell phone. The OCE confirmed the FBI seized the correct cell phone by calling the phone number the messages had been sent from. The phone seized from GADMAN's pocket rang when the OCE called it and the contact that showed up was the purported name of the OCE. During the interview, GADMAN claimed he was going

to go inside the establishment, go to the bathroom, and leave. GADMAN stated he was interested in engaging in sexual activity with the OCE but the OCE was pushing her daughters on him.

CONCLUSION

14. In summary, based on the above information, I believe there is probable cause to believe Joseph Wayne GADMAN committed a violation of 18 U.S.C. § 2422(b) – Attempted Coercion and Enticement of a Minor on January 13, 2023, in the District of New Mexico.

15. This affidavit has been reviewed by Assistant United States Attorney Jaymie L. Roybal.

16. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.



Nancy Stemo
Special Agent
FBI

Electronically Subscribed and Telephonically SWORN to before
me on this 13th day of January 2023.



THE HONORABLE JOHN F. ROBBENHAAR
UNITED STATES MAGISTRATE JUDGE